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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,271	02/24/2004	Hideyuki Suzuki	249225US6	8914

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EXAMINER

VU, MICHAEL T

ART UNIT PAPER NUMBER

2683

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/784,271	Applicant(s) SUZUKI ET AL.	
	Examiner Michael Vu	Art Unit 2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/02/04</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu (6,640,108) in further view of Saunders (2004/0152446)

Regarding **claim 1**, Lu teaches A wireless communication system including a plurality of terminals (Abstract, Fig. 6A), comprising: a first terminal for sending a signal including beacon information having an identifier that identifies the type of certificate of privilege/authorize terminal to access to a network (C14, L47-65, C15, L33-56); **but is silent on** a second terminal for sending an authentication request to the first terminal in

response to the signal sent from the first terminal by providing the type of certificate of privilege which matches the identifier. However, Saunders teaches the method for providing network secure access from mobile terminals such as telephones and Personal Digital Assistants (PDA), that if the identifier and the password match a user record in the database of the authentication server (Abstract, [0007, 0055]).

As examiner noted that with this configuration, by being triggered by a signal including beacon information sent from the first terminal, an authentication request can be made by providing the type of certificate of privilege that matches the identifier contained in the signal (See Application's specification [0011]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lu, such that a second terminal for sending an authentication request to the first terminal in response to the signal sent from the first terminal by providing the type of certificate of privilege which matches the identifier, to provide the flexibility to have a right to access between the public network and private network.

Regarding **claim 2**. Lu teaches A wireless communication system including a plurality of terminals (Abstract, Fig. 6A), comprising: a first terminal for sending a signal including beacon information indicating an operation mode/ Private or Public of the first terminal (Abstract, Fig. 6A Public or Private network, see Summary of Invention); **but is silent on** a second terminal for sending, when the operation mode of the first terminal coincides with an operation mode of the second terminal, an authentication request to the first terminal in response to the signal sent from the first terminal by providing a

Art Unit: 2683

certificate of privilege indicating a right concerning the operation mode of the second terminal. However, Saunders teaches the method for providing network secure access from mobile terminals such as telephones and Personal Digital Assistants (PDA), that if the identifier and the password match a user record in the database of the authentication server (Abstract, [0007, 0055]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify LU, such that a second terminal for sending, when the operation mode of the first terminal coincides with an operation mode of the second terminal, an authentication request to the first terminal in response to the signal sent from the first terminal by providing a certificate of privilege indicating a right concerning the operation mode of the second terminal, to provide the flexibility to have a right to access between the public network and private network.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 3-13, 15-19, 21-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Lauper (US 2002/0098830).

Regarding **claim 3**, Lauper teaches A terminal (Fig. 4) comprising: a certificate of privilege table for storing a certificate of privilege indicating an access right of the

Art Unit: 2683

terminal (Title, Abstract); receiving means for receiving a signal including beacon information having an identifier that identifies the type of certificate of privilege from a first terminal; and authentication request means for sending an authentication request to the first terminal by providing the certificate of privilege stored in the certificate of privilege table that matches the identifier contained in the signal received by the receiving means (Abstract, [0038-0039, 0057]).

Regarding **claims 4, 8, 17, 10, 22, 24**. Lauper teaches A terminal according to claim 3, wherein the identifier is a terminal identifier of a terminal that has issued the certificate of privilege (Title, Abstract, [0009-0011, 0020, 0043]).

Regarding **claim 5**. Lauper teaches A terminal according to claim 3, further comprising: a certificate-of-privilege issuing terminal list table for storing a public key certificate of a terminal that has issued the certificate of privilege [0009-0011, 0020]; authentication-request receiving means for receiving a second authentication request from the first terminal in response to the authentication request sent from the authentication request means [0004, 0007, 0022]; and verification means for verifying a second certificate of privilege contained in the second authentication request received by the authentication-request receiving means by using a public key contained in the public key certificate stored in the certificate-of-privilege issuing terminal list table (Title, Abstract, [0004-0005, 0007, 0011-0013, 0038, 0039, 0020, 0043]).

Regarding **claim 6**. Lauper teaches A terminal according to claim 5, wherein: the identifier is a terminal identifier of a terminal that has issued the certificate of privilege; and the certificate-of privilege issuing terminal list table stores the terminal identifier of

Art Unit: 2683

the terminal that has issued the certificate of privilege, the public key certificate of the terminal that has issued the certificate of privilege, and a storage location of the certificate of privilege in the certificate of privilege table in association with each other (Title, Abstract, 0004-0007, 011-0013, 0038-0039).

Regarding **claim 7**. Lauper teaches A terminal comprising: a certificate of privilege table for storing a certificate of privilege indicating an access right of the terminal; and sending means for sending a first terminal a signal including beacon information having an identifier that identifies the type of certificate of privilege stored in the certificate of privilege table [0011-0013, 0038-0039].

Regarding **claim 9**. Lauper teaches A terminal comprising: a certificate of privilege table for storing a plurality of certificates of privilege indicating an access right of the terminal (Title, Abstract, 0038-0039); selection means for providing an instruction to select one of the plurality of certificates of privilege stored in the certificate of privilege table; and sending means for sending a first terminal a signal including beacon information having an identifier that identifies the type of the certificate of privilege selected by the selection means [0011-0013].

Regarding **claim 11**. Lauper teaches A terminal comprising: a certificate of privilege table for storing a certificate of privilege indicating an access right of the terminal; a status table for storing an operation mode of the terminal; receiving means for receiving a signal including beacon information having an operation mode of a first terminal from the first terminal; and authentication request means for sending, when the operation mode of the terminal and the operation mode of the first terminal coincides

Art Unit: 2683

with each other, an authentication request to the first terminal by providing the certificate of privilege stored in the certificate of privilege table (Abstract, [0038-0039, 0057]).

Regarding **claims 12 and 18**. Lauper teaches A terminal according to claim 11, further comprising: a certificate-of-privilege issuing terminal list table for storing a public key certificate of a terminal that has issued the certificate of privilege (Abstract, [0010-0011, 0038-0039]); authentication-request receiving means for receiving a second authentication request from the first terminal in response to the authentication request sent from the authentication request means; verification means for verifying a second certificate of privilege contained in the second authentication request received by the authentication-request receiving means by using a public key contained in the public key certificate stored in the certificate-of-privilege issuing terminal list table [0010-0011, 0038-0039]; and operation-mode checking means for determining, after the second certificate of privilege is successfully verified by the verification means, that the second authentication request is rejected (The first entity 1 must be sure that the public key it uses belongs in fact to the entity 2 [0009]) when the operation mode of the first terminal is not permitted by an operable mode contained in the second certificate of privilege [0008-0010]. Check_Partner_Cert_Reply sends the result of the verification of the certificate (certificate authenticated not authenticated [0052]).

Regarding **claims 13 and 19**. Lauper teaches A terminal according to claim 12, wherein: the identifier is a terminal identifier of the terminal that has issued the certificate of privilege; and the certificate-of-privilege issuing terminal list table stores the terminal identifier of the terminal that has issued the certificate of privilege, the public

Art Unit: 2683

key certificate of the terminal that has issued the certificate of privilege, and a storage location of the certificate of privilege in the certificate of privilege table in association with each other (Abstract, [0011-0013, 0038-0039]).

Regarding **claim 15**. Lauper teaches A terminal comprising: a status table for storing an operation mode of the terminal; and sending means for sending a signal including beacon information having the operation mode of the terminal to a first terminal [0004, 0011-0013, 0038-0039].

Regarding **claim 16**. Lauper teaches A terminal comprising: a certificate of privilege table for storing a certificate of privilege indicating an access right of the terminal; a status table for storing an operation mode of the terminal [0038-0039]; receiving means for receiving from a first terminal a signal including beacon information having an identifier that identifies the type of certificate of privilege and an operation mode of the first terminal; and authentication request means for sending, when the operation mode of the terminal and the operation mode of the first terminal coincides with each other, an authentication request to the first terminal by providing the certificate of privilege that matches the identifier contained in the signal received by the receiving means (Abstract, 0011-0013).

Regarding **claims 21 and 23**. Lauper teaches A terminal comprising: a certificate of privilege table for storing a certificate of privilege indicating an access right of the terminal; a status table for storing an operation mode of the terminal; and sending means for sending a first terminal a signal including beacon information having an

Art Unit: 2683

identifier that identifies the type of certificate of privilege of the certificate of privilege table and the operation mode of the terminal (Abstract, 0011-0013)).

Regarding **claim 25** Lauper teaches A processing method for use in a terminal which includes a certificate of privilege table for storing a certificate of privilege indicating an access right of the terminal, and a status table for storing an operation mode of the terminal [0038-0039], said processing method comprising: a step of receiving from a first terminal a signal including beacon information having an identifier that identifies the type of certificate of privilege and an operation mode of the first terminal [0011-0013]; and a step of sending, when the operation mode of the terminal and the operation mode of the first terminal coincides with each other, an authentication request to the first terminal by providing the certificate of privilege stored in the certificate of privilege table that matches the identifier contained in the signal [0011-0013].

Regarding **claim 26** Lauper teaches A processing method for use in a terminal which includes a certificate of privilege table for storing a plurality of certificates of privilege indicating an access right of the terminal, and a status table for storing an operation mode of the terminal [0038-0039], said processing method comprising: a step of providing an instruction to select one of the plurality of certificates of privilege stored in the certificate of privilege table; and a step of sending a signal a first terminal including beacon information having an identifier that identifies the type of the selected certificate of privilege and the operation mode of the terminal [0011].

Art Unit: 2683

6. Claims 14 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lauper (2002/0098830) in view of Butt (6,754,829).

Regarding **Claims 14 and 20**, Lauper teaches A terminal according to claim 12, **but is silent on** further comprising: a policy table for storing a management policy to be used with the first terminal; and management-policy setting means for setting a management policy contained in the second certificate of privilege in the policy table when the operation-mode checking means determines that the second authentication request is not rejected. However, Butt teaches certificate-based authentication system for heterogeneous environments to keep track of user-related information and use different methods to store the tracked data to prevent interoperation between the management environments (Abstract, C1, L36-47, C4, L13-30, see claim 9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lauper, such that a policy table for storing a management policy to be used with the first terminal; and management-policy setting means for setting a management policy contained in the second certificate of privilege in the policy table when the operation-mode checking means determines that the second authentication request is not rejected, to maintenance and support includes checking, testing and validating user account information and user access rights or access control list.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Engstrom US 2004/0067750

Saunders US 2004/0152446

Wiley US 2005/0191990

Lu US 6,640,108

Lauper US 2002/0098830

Graff US 2005/0149724

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Vu whose telephone number is (571) 272-8131.

The examiner can normally be reached on 8:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Vu

Michael T. Vu

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STEPHEN D AGOSTA 11-26-05
PRIMARY